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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/689,516	10/21/2003	Michael Hammond	115438-069	8650

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EXAMINER

LANEAU, RONALD

ART UNIT	PAPER NUMBER
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3714

DATE MAILED: 11/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

NT

Office Action Summary

Application No.

10/689,516

Applicant(s)

HAMMOND ET AL.

Examiner

Ronald Laneau

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 17-24 is/are allowed.
- 6) ☒ Claim(s) 1-16 and 25-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-----------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>12102004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-12, 14-16 and 25-30 are rejected under 35 U.S.C. 102(b) as being anticipated by Ng (US 6,042,478).

As per claims 1 and 25, Ng discloses a hand held electronic device, comprising: a main body including a connector adapted to electrically and mechanically connect said main body to a separable electronic game (fig. 4, 87), first and second ports sized to receive first and second game cartridges of the electronic game (col. 3, line 61 to col. 4, line 6), respectively, each of said first and second ports having an electrical connection that is electrically connectable to the respective first and second game cartridges (see fig. 2, 81, 82), and a processor adapted to electrically connect the electronic game to the first and second game cartridges through said first and second ports (see fig. 5, 100).

As per claims 2-8, Ng discloses a hand held electronic device that includes a portion of the electronic game; wherein said connector is adapted to be received in a portion of the electronic game; wherein said main body includes a recessed portion adapted to receive a portion of the electronic game; wherein said connector is disposed in said recessed portion of said main body; wherein said connector is adapted to be received in a portion of the electronic game;

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wherein said connector includes at least one electrical contact for electrically connecting to the electronic game (see figs 2-4).

As per claim 8, Ng discloses a hand held electronic device wherein said connector is a extension member having a shape substantially identical to the game cartridges of the electronic game (see figs. 2, 3)

As per claim 9, Ng discloses a hand held electronic device wherein said first and second ports define access openings in first and second sides of said main body (see fig. 2).

As per claims 10 and 11, A hand held electronic device wherein said first and second sides are substantially perpendicular to one another; wherein said first and second sides are substantially parallel and opposite one another (Ng inherently discloses such limitations based on the way you hold the handheld device and see which sides are parallel and perpendicular to each other).

As per claim 12, Ng discloses a hand held electronic device wherein each of said electrical connections of said first and second ports is an electrical contact (see fig. 2, 82, 83).

As per claims 14, 15 and 30, Ng discloses a hand held electronic device wherein a selection member (switch) is electrically connected to said processor and includes at least first and second selectable positions corresponding to said first and second ports, respectively, said selection member communicates to said processor when said selection member is in said first and second positions (see figs. 1 and 5).

As per claim 16, Ng disclose a hand held electronic device according to claim 1, wherein the electronic game is a hand held electronic game (see fig. 1).

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As per claim 26, Ng discloses a method further comprising the step of: inserting the first and second game cartridges into the first and second ports, respectively, of the hand held electronic device (see fig. 2, elements 81, 82).

As per claims 28 and 29, Ng inherently discloses a method that couples the hand held electronic game to the hand held electronic device (see fig 3).

Claim Rejections – 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 13 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ng (US 6,042,478).

As per claims 13 and 27, Ng does not explicitly disclose a third port but it is well known in the gaming area to have a hand held electronic which includes a plurality of ports or at least three ports for connecting a game cartridge.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize a third port into the system of Ng because it would provide a greater flexibility in terms of the numbers of available game into the hand held electronic game.

Allowable Subject Matter

5. Claims 17- 24 are allowed.

None of the references, either singularly or in combination, discloses or even suggests:

As per claims 17-24, a hand held electronic device, comprising: a recessed portion adapted to releasably receive a base of a separate electronic game, said recessed portion having a connector connectable to the base of the electronic game, first, second and third ports each having an access opening disposed in one of said first, second and third sides, respectively, each of said first, second and third ports being adapted to receive a game cartridge of the electronic game and an electrical contact of each port providing electrical connection between said ports and the respective game cartridges.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Schultz et al (US 2006/0148568 A1) disclose a device and method for wirelessly accessing game media.
- Okada et al (US 6,810,463 B2) disclose a gaming machine that is usable with different game cartridge types.
- Smith, III et al (US 4,359,222) disclose a hand-held electronic game playing device with replaceable cartridge.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald Laneau whose telephone number is (571) 272-6784. The examiner can normally be reached on 7:30 - 3:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on (571) 272-6788. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ronald Laneau

Ronald Laneau
Primary Examiner
Art Unit 3714

11/3/06

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